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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,413	09/10/2003	Alexey Kobozev	50325-0815	5822

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EXAMINER
BESROUR, SAOUSSEN

ART UNIT	PAPER NUMBER
2131	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

<table>
<tr><td rowspan="3">

Office Action Summary

</td><td>Application No.</td><td>Applicant(s)</td></tr>
<tr><td>10/660,413</td><td>KOBOZEV ET AL.</td></tr>
<tr><td>Examiner</td><td>Art Unit</td><td></td></tr>
<tr><td></td><td>Saoussen Besrour</td><td>2131</td><td></td></tr>
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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *10 September 2003*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-45* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-45* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *10 September 2003* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *3/11/2004*.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

1.   This action is in response to the communication filed 9/10/2003.

2.   Claims 1-45 were received for consideration.

3.   No preliminary amendments for the claims were filed. Currently claims 1-

45 are under consideration.

Claim Objections

4.   **Claims 1, 2, 3, 18, 19, 20, 21, 32, 33, 34, 35, 44 and 45** objected to because of

the following informalities: "if" is a conditional statement which renders the claim

unclear since its not clear whether the action takes place or not. Examiner suggests

replacing "if" with "when". Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5.   As per **claim 44**, when a nonfunctional descriptive material is recorded on some

computer-readable medium, in a computer or on an electromagnetic carrier signal

(Specification page 25 Paragraph 116, lines 5-6), it is not statutory since no requisite

functionality is present to satisfy the practical application requirement. Merely claiming

nonfunctional descriptive material, i.e. abstract ideas, stored in a computer readable

medium, in a computer, on an electromagnetic carrier signal does not make it statutory.

See Diehr, 450 U.S. at 185-86, 209 USPQ.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6.   **Claims 1-41 and 43-45** are rejected under 35 U.S.C. 102(e) as being anticipated

by de Silva et al. (US 6,615,347).

As per **claim 1** de Silva discloses: receiving a first security certificate associated

with the sender and storing the first security certificate in a location accessible to the

receiver (Column 3, Lines 58-Column 4, Lines 10); updating the first security certificate

in the location accessible to the receiver if the first security certificate is changed or

revoked (Column 6, Lines 10-34); receiving a second security certificate from the

sender when identity of the sender needs to be verified (Column 6, Lines 35-40);

comparing the second security certificate to the first security certificate (Column 9, Lines

10-25); and confirming the sender's identity only if the second security certificate

matches the first security certificate for the sender (Column 9, Lines 10-25).

As per **claim 18** de Silva discloses: copying a first security certificate associated

with the client to a location accessible to the server (Column 3, Lines 58-Column 4,

Lines 10); updating the first security certificate in the location accessible to the server if

the first certificate is changed or revoked (Column 7, Lines 6-30); receiving a second security certificate from the client when identity of the client needs to be verified (Column 6, Lines 35-40); comparing the second security certificate to the first security certificate (Column 9, Lines 10-25); and confirming the client's identity only if the second security certificate matches the first security certificate (Column 9, Lines 10-25).

As per **claim 32** de Silva discloses: receiving a first security certificate associated with the server and storing the first security certificate in a location accessible to the client (Column 3, Lines 58-Column 4, Lines 10); updating the first security certificate in the location accessible to the client if the first security certificate is changed or revoked (Column 7, Lines 6-30); receiving a second security certificate from the server when identity of the server needs to be verified (Column 6, Lines 35-40); comparing the second security certificate to the first security certificate (Column 9, Lines 10-25); and confirming the server's identity only if the second security certificate matches the first security certificate for the server (Column 9, Lines 10-25).

As per **claim 44**, de Silva discloses: receiving a first security certificate associated with the sender and storing the security certificate in a location accessible to the receiver (Column 3, Lines 58-Column 4, Lines 10); updating the first security certificate in the location accessible to the receiver if the first security certificate is changed or revoked (Column 7, Lines 6-30); receiving a second security certificate from the sender when identity of the sender needs to be verified (Column 6, Lines 35-40); comparing the second security certificate to the first security certificate (Column 9, Lines

10-25); and confirming the sender's identity only if the second security certificate

matches the first security certificate for the sender (Column 9, Lines 10-25).

As per **claim 45**, de Silva discloses: receiving a first security certificate

associated with the sender and storing the security certificate in a location accessible to

the receiver (Column 3, Lines 58-Column 4, Lines 10); updating the first security

certificate in the location accessible to the receiver if the first security certificate is

changed or revoked (Column 7, Lines 6-30); receiving a second security certificate from

the sender when identity of the sender needs to be verified (Column 6, Lines 35-40);

comparing the second security certificate to the first security certificate (Column 9, Lines

10-25); and confirming the sender's identity only if the second security certificate

matches the first security certificate for the sender (Column 9, Lines 10-25).

As per **claim 2, 19 and 33**, rejected as applied to claim 1, 18 and 32.

Furthermore de Silva discloses: removing the first certificate from the location

accessible to the receiver if the first certificate is revoked (Column 7, Lines 6-30); and

replacing the first certificate in the location accessible to the receiver if the first

certificate is changed (Column 7, Lines 61-63).

As per **claim 3, 20 and 34**, rejected as applied to claims 2, 19 and 33.

Furthermore, de Silva discloses: the removing step is performed if the first certificate

is known to have been revoked for a reason selected from the group consisting of

expiration of the certificate, change of certificate authority, and compromise of the

certificate (Column 5, Lines 25-32).

As per **claims 4, 21 and 35**, rejected as applied to claims 2, 19 and 33. Furthermore, de Silva discloses: wherein the replacing step is performed if the first certificate is known to have been changed for a reason selected from the group consisting of expiration of the certificate, change of certificate authority, and compromise of the certificate (Column 5, Lines 25-32).

As per **claim 5**, rejected as applied to claim 1. Furthermore, de Silva discloses: storing the first security certificate in a directory service (Column 3, Lines 51-55).

As per **claim 6 and 22**, rejected as applied to claims 5 and 18. Furthermore, de Silva discloses: wherein the directory service is a Lightweight Directory Access Protocol directory (Column 3, lines 51-55).

As per **claims 7 and 23**, rejected as applied to claims 1 and 18. Furthermore, de Silva discloses: wherein the first certificate is known to have been granted by a certificate authority (Column 3, Lines 50-51).

As per **claims 8 and 24**, rejected as applied to claims 1 and 18. Furthermore, de Silva discloses: wherein the first certificate is known to have been obtained in a trusted domain (Column 3, Lines 50-51).

As per **claim 9, 26 and 36**, rejected as applied to claims 1, 18 and 32. Furthermore, de Silva discloses: herein the step of comparing the first certificate and second certificate comprises comparing a computer memory representation of each certificate (Column 9, Lines 10-25).

As per **claim 10**, rejected as applied to claim 1. Furthermore, de Silva discloses: wherein the sender is a client and the receiver is a server (Column 4, Lines 33-51).

As per **claims 11, 25 and 37**, rejected as applied to claims 10, 18 and 32. Furthermore, de Silva discloses: herein the receiver is an authentication, authorization, and accounting server (Column 4, Lines 33-51).

As per **claim 12**, rejected as applied to claim 1. Furthermore de Silva discloses: wherein the sender is a server and the receiver is a client (Column 4, Lines 33-51).

As per **claim 13, 27 and 38**, rejected as applied to claims 1, 18 and 32. Furthermore, de Silva discloses: wherein the communication between the sender and receiver is in a protocol that requires the inclusion of a digital certificate (Column 4, Lines 55-65).

As per **claims 14, 28 and 39**, rejected as applied to claims 13, 27 and 28. Furthermore, de Silva discloses: wherein the protocol is selected from the group consisting of the Extensible Authentication Protocol and Transport Level Security protocol, the Protected Extensible Authentication Protocol, and the Tunneled Transport Level Security protocol (Column 4, Lines 55-65).

As per **claims 15, 29 and 40**, rejected as applied to claims 1, 18 and 32. Furthermore, de Silva discloses: the second certificate is known to have been signed by a certificate authority (Column 3, Lines 50-51 and Column 1, Lines 40-55, Column 2, Lines 13-26).

As per **claims 16, 30 and 41**, rejected as applied to claims 15, 29 and 40. Furthermore, de Silva discloses: decrypting the second certificate using a public key associated with the certificate authority, whereby the receiver verifies that the certificate authority has signed the second certificate (Column 1, Lines 52-60).

As per **claims 17, 31 and 43**, rejected as applied to claims 1, 18 and 43.

Furthermore, de Silva discloses: receiving a message encrypted with the sender's

private key; and decrypting the message using the sender's public key (Column 3, Lines

35-50).

Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   **Claim 42** is rejected under 35 U.S.C. 103(a) as being unpatentable over de Silva

et al. (US 6,615,347) in view of Fe et a. (US 20030037234).

As per **claim 42**, rejected as applied to claim 32. De Silva does not explicitly

teach wherein the server is one of a plurality of load balanced servers and each server

of the plurality of load balanced servers has an identical security certificate, whereby the

client need not know to which of the plurality of servers it is attached. However, Fu et

al. discloses: wherein the server is one of a plurality of load balanced servers and each

server of the plurality of load balanced servers has an identical security certificate,

whereby the client need not know to which of the plurality of servers it is attached

(0046). Therefore, it would have been obvious to one with ordinary skill in the art at the

time the invention was made to use the teachings of Fu et al. in conjunction with the

teachings of de Silva for the benefit of greater scalability (0012).

Conclusion

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Saoussen Besrour whose telephone number is 571-272-

6547. The examiner can normally be reached on M-F 8:30am to 5:00pm.
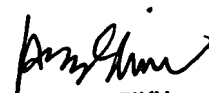
If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SB
June 11, 2007

AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
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